

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

CYNTHIA K. HAYNES (a/k/a Cynthia K. Randolph),)	
individually and under the Missouri Wrongful Death)	
Statute ,)	
)	
Plaintiff,)	
v.)	Cause No. 1:21-CV-00160-SNL
)	
JENNIFER WILLIAMS, individually,)	JURY TRIAL DEMANDED
JENNIFER WILLIAMS, d/b/a WILLIAMS LAW,)	
SPAIN, MILLER, GALLOWAY & LEE, LLC,)	
a Missouri limited liability company,)	
BERNICE HAYNES, individually and)	
CHARLES HAYNES, individually,)	
)	
Defendants.)	

**PLAINTIFF’S MOTION FOR THE CLERK TO ENTER A DEFAULT
AGAINST DEFENDANT CHARLES HAYNES**

COMES NOW Plaintiff by and through counsel and moves that the Clerk enter a default against Charles Haynes for the following reasons:

1. In accord with Fed. R. Civ. P. 55(a) the Clerk has the power to enter a default upon a showing that a party Defendant has failed to plead or otherwise defend the claims filed against him.

2. On or about November 8, 2021 Plaintiff filed her Complaint in the above captioned matter. Pursuant to the Court’s Order Plaintiff filed an Amended Complaint on or about November 12, 2021.

3. Plaintiff filed a Return of Service of the Summons and the Amended Complaint on Charles Haynes on December 12, 2021 attesting that Defendant Charles Haynes was served with a copy of the Summons on November 19, 2021. That Return of Service was supported by

an Affidavit by the process server, Billy Harris a copy of which is attached as Exhibit 2. See Docket Entry No. 20. See also, Affidavit of Laurence D. Mass attached as Exhibit 1 attesting that both the Summons and Amended Complaint and its exhibits were served on Defendant Haynes.

4. To date, Charles Haynes has not filed an answer, motion to dismiss, or any other pleading opposing the claims against him set forth in both the original filed Complaint and the Amended Complaint.

5. In Count VII of the Amended Complaint (starting at pg. 66 of the Amended Complaint) Plaintiff set forth her claim for wrongful death of S.H. based upon sexual assault and battery against Defendant Charles Haynes. See docket entry no. 6.

WHEREFORE Plaintiff prays that the Clerk of this Honorable Court enter a default against Defendant Charles Haynes.

Respectfully submitted,

/s/ Laurence D. Mass
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

It is hereby certified that on this 20th day of January 2022, a copy of the foregoing was filed electronically with the Clerk of the Court to be served to all counsel by operation of the Court's electronic filing system and that a copy was sent via U.S. Mail to:

Defendant Charles Haynes, Inmate ID 1332815
Warden of Farmington Correctional Facility
1012 West Columbia Street
Farmington, Missouri 63640

/s/ Laurence D. Mass